

REMARKS

This Amendment is fully responsive to the final Office Action dated July 2, 2010 and the Advisory Action of October 14, 2010, issued in connection with the above-identified application. A request for continued examination (RCE) and a request for a one-month extension of time are included. Claims 1-17 are pending in the present application. With this Amendment, claims 1, 7-9 and 12 have been amended. No new matter has been introduced by the amendments made to the claims. Favorable reconsideration is respectfully requested.

In the final Office Action, claims 1, 8 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Naruse (U.S. Publication No. 2002/0183026, hereafter “Naruse”) in view of Markman (U.S. Publication No. 2003/022966, hereafter “Markman”), Delavega (U.S. Publication No. 2005/0034158, hereafter “Delavega”), Zhu et al. (U.S. Publication No. 2008/0183767, hereafter “Zhu”) and Miyaoku (U.S. Publication No. 2003/0051252, hereafter “Miyaoku”).

The Applicants have amended independent claims 1 and 8 in order to more clearly distinguish the present invention from the cited prior art. For example, independent claim 1 recites *inter alia* the following features:

“...the content transmission device transmits the pieces of segmented data of the content to be received by said plurality of communication units at a transmission speed adjusted based on the first request signal, and said plurality of communication units receive the pieces of segmented data of the content transmitted from the content transmission device at the transmission speed adjusted by the content transmission device based on the first request signal.”

The features noted above in independent claim 1 are similarly recited in independent claim 8 (as amended). Additionally, the features noted above in independent claim 1 (and similarly recited in independent claim 8) are fully supported by the Applicants’ disclosure (see e.g., ¶[0128]-¶[0132]; and Fig. 19).

The present invention (as recited in independent claims 1 and 8) is distinguishable from the cited prior art in that a content transmission device transmits the pieces of segmented data of the content to a plurality of communication units of a content reproduction device at a transmission speed adjusted based on a first request signal received from the content reproduction device. Therefore, the plurality of communication units receive the pieces of segmented data of the content transmitted from the content transmission device at the

transmission speed adjusted by the content transmission device based on the first request signal.

In the Office Action, the Examiner relies on the combination of Naruse, Markman, Delavega, Zhu and Miyaoku for disclosing or suggesting all the features recited in at least independent claims 1 and 8.

However, the Applicants assert that Naruse, Markman, Delavega, Zhu and Miyaoku fail to disclose or suggest all the features now recited in independent claims 1 and 8, as amended.

Specifically, Naruse merely discloses that a mobile terminal can send a request for a corrected transmission speed to a transmission control unit (see e.g., ¶[0052]-¶[0054]).

Markman discloses a Media Center located at a user's site that receives media signals and programming information using a modem (see e.g., ¶[0085] and ¶[0110]).

Delevaga discloses that a device uses LAN/WAN/Internet connections to transmit and receive data (see e.g., ¶[0027] and ¶[0028]).

Zhu discloses that a stream is transmitted from a data source to a device including a sequence of segment IDs and that the device uses the segment IDs to store the segments in a buffer, which is used for reconstruction of the segments (see e.g., ¶[0021], ¶[0022], and ¶[0041]).

Finally, Miyaoku discloses that a viewer apparatus 4001 includes a broadcast receiving part 4014 that receives broadcast information and a network communication part 4017 that receives information related to the broadcast information. Additionally, a broadcast information demodulating decoding part 4015 demodulates and decodes the broadcast information received by the broadcast receiving part 4014, and outputs broadcast information to the displaying and reproducing part 4016 and to the related information obtaining part 4011 (see e.g., ¶[0509]-¶[0520]).

However, nothing in Naruse, Markman, Delavega, Zhu and Miyaoku (individually or in combination) disclose or suggest a content transmission device or step that transmits pieces of segmented data of the content to a plurality of communication units at a transmission speed adjusted based on a first request signal, wherein the plurality of communication units receive the pieces of segmented data of the content transmitted from the content transmission device at the transmission speed adjusted by the content transmission device based on the first request signal, as recited in independent claims 1 and 8 (as amended).

Accordingly, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku would result in, or otherwise render obvious, the features recited in independent claims 1 and 8 (as

amended). Likewise, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku would result in, or otherwise render obvious, claim 10 at least by virtue of its dependency from independent claim 8.

In the Office Action, claims 2-4, 7, 9 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Naruse in view of Markman, Delavega Zhu and Miyaoku, and further in view of Ji et al. (U.S. Publication No. 2005/0043999, hereafter “Ji”).

Claims 2-4 depend from independent claim 1. As noted above, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku would result in, or otherwise render obvious, independent claim 1. Additionally, Ji fails to overcome the deficiencies noted above in Naruse, Markman, Delavega, Zhu and Miyaoku. Accordingly, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku with Ji would result in, or otherwise render obvious, claims 2-4 at least by virtue of their dependencies from independent claim 1.

Independent claims 7 and 9 have been amended similar to that of independent claim 1. Therefore, independent claims 7 and 9 are distinguished from the cited prior art for similar reasons noted above for independent claim 1. Accordingly, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku would result in, or otherwise render obvious, independent claims 7 and 9 (as amended). Additionally, Ji fails to overcome the deficiencies noted above in Naruse, Markman, Delavega, Zhu and Miyaoku. Accordingly, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku with Ji would result in, or otherwise render obvious, independent claims 7 and 9. Likewise, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku with Ji would result in, or otherwise render obvious, claim 11 at least by virtue of its dependency from independent claim 9.

In the Office Action, claims 5 and 6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Naruse, Markman, Delavega, Zhu and Miyaoku, and further in view of Chinomi et al. (U.S. Patent No. 7,228,137, hereafter “Chinomi”).

Claims 5 and 6 depend from independent claim 1. As noted above, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku would result in, or otherwise render obvious, independent claim 1. Additionally, Chinomi fails to overcome the deficiencies noted above in Naruse, Markman, Delavega, Zhu and Miyaoku. Accordingly, no combination of Naruse, Markman, Delavega, Zhu and Miyaoku with Chinomi would result in, or otherwise render obvious, claims 5 and 6 at least by virtue of their dependencies from independent claim 1.

In the Office Action, claims 12, 14 and 15 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Naruse in view of Markman, Delavega, Miyaoku and Ji, and further in view of Uhlik (U.S. Publication No. 2007/0112948, hereafter “Uhlik”); claim 13 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Naurse in view of Markman, Delavega, Miyaoku, Ji and Uhlik, and further in view of Zhu; and claims 16 and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Naruse, Markman, Delavega, Miyaoku, Ji and Uhlik, and further in view of Chinomi.

Independent claim 12 has been amended similar to that of independent claim 1 to more clearly distinguish the present invention from the cited prior art. Therefore, independent claim 12 is distinguished from the cited prior art for similar reasons noted above for independent claim 1.

Accordingly, no combination of Naruse, Markman, Delavega and Miyaoku would result in, or otherwise render obvious, the features of independent claim 1. Additionally, Ji and Uhlik fail to overcome the deficiencies noted above in Naruse, Markman, Delavega and Miyaoku. Accordingly, no combination of Naruse, Markman, Delavega and Miyaoku with Ji and Uhlik would result in, or otherwise render obvious, independent claim 12.

Claims 13-17 depend from independent claim 12. As noted above, Naruse, Markman, Delavega, Miyaoku, Ji and Uhlik fail to disclose or suggest all the features recited in independent claim 12. Additionally, Zhu and Chinomi fail to overcome the deficiencies in Naruse, Markman, Delavega, Miyaoku, Ji and Uhlik. Accordingly, no combination of Naruse, Markman, Delavega, Miyaoku, Ji and Uhlik with Zhu or Chinomi would result in, or otherwise render obvious, claims 13-17 at least by virtue of their dependencies from independent claim 12.

In light of the above, the Applicants submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue.

Additionally, the Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues in the present application.

Respectfully submitted,

Toshiaki MORI et al.

/Mark D. Pratt/

By 2010.10.28 11:02:58 -04'00'

Mark D. Pratt
Registration No. 45,794
Attorney for Applicants

MDP/mac
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
October 28, 2010